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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/886,266 | 06/22/2001 | Hiromasa Funakoshi | 0074/009001 | 5549 |

22893 7590 07/28/2005
SMITH PATENT OFFICE
1901 PENNSYLVANIA AVENUE N W
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WASHINGTON, DC 20006

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| EXAMINER |
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VILLECCO, JOHN M

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| ART UNIT | PAPER NUMBER |
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2612

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,266

Applicant(s)

FUNAKOSHI ET AL.

Examiner

John M. Vilecco

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 5-15 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-4 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed May 10, 2005 have been fully considered but they are not persuasive.
2. Applicant has amended independent claim 1 to show that the output value of the amplifier is maintained while the enable signal is obtained. Applicant then argues that enable single of the applicant's invention and the blanking signal (CBLK) of Suzuki are not the same and thus, the claim language differentiates the invention from the Suzuki reference. However, the examiner disagrees with this assertion. Based on the official translation supplied with this action it is clear that the Suzuki reference can be read on claim 1. More specifically, the clamping pulses (CP1 and /or CP2) are interpreted to be the optical black clock pulses. The blanking pulse (CBLK) can be interpreted as the enable signal (as claimed by the applicant) since the blanking pulse would only operate when output of the solid-state image element stops. Furthermore, when the blanking pulse (CBLK) is activated as shown in Figure 3c, the signal that is passed through the amplifier (16 or 20) is maintained at a constant level. Although the first clamping block (10) was discussed in the previous action. Second clamping block (14) is actually the clamping circuit which provides for maintaining the signal level to a constant value. Since the rejection from the previous office action still reads on the claim, the office action is made final. See paragraphs 0013-0015.
3. For the reasons stated above the rejection of claim 1 from the previous office action will be repeated.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al.**

(Japanese Publ. No. 04-291576 A).

6. Regarding *claim 1*, Suzuki discloses a clamping circuit for an electronic endoscope. More specifically, Suzuki discloses a clamping circuit which receives an image signal from a solid-state imaging device. The clamping circuit receives a signal CP1, which indicates an optical black section, and a signal CBLK, which indicates a timing at which an output of the solid-state imaging elements stops. The output of the solid-state imaging device stops at CBLK since this signal represents a blanking signal. The clamping circuit further includes a variable voltage device (VR2), which acts as a target value setting means which sets a target value for output and an amplifier device (17) for amplifying a difference between the target value and an optical black signal. This is fed back to the signal line. The amplifier acts to match a signal level of the optical black section to a constant value by maintaining the target value of the optical black section, while the enable signal (CBLK) is activated. See Figures 1 and 3. Also see paragraphs 0013-0015.

Allowable Subject Matter

7. **Claims 2-4 are allowed.**

8. The following is an examiner's statement of reasons for allowance:

Regarding *claim 2*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest an arrangement of the optical black clamping circuit as specified in claim 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

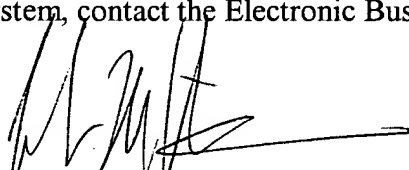
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ^{Thai Tran} ~~Wendy Garber~~ can be reached on (571) 272-⁷³⁸² ~~7308~~. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John M. Villecco
July 16, 2005


THAI TRAN
PRIMARY EXAMINER